

MEETING MINUTES
WATER QUALITY ASSURANCE REVOLVING FUND ADVISORY BOARD
Salt River Project, 1521 N. Project Drive, Tempe, Arizona
October 31, 2003

Board Members in Attendance:

Kelly Barr	Karen Masbruch
Frank Corkhill	Phil McNeely
Karen Gaylord	Karen O'Regan
Tamara Huddleston	Tom Suriano
Dave Kimball	Jim Viereg
Rick Lavis	Kerri Ann Wade
Janet Marcus	

Board Members Absent:

Lori Faeth	Lee Stein
Will Humble	Chuck Shipley

The meeting was called to order at 9:04 a.m.

Action Items:

1. ADEQ will follow up with EPA to ensure that EPA is aware that ADEQ is denying emergency response claims that are eligible to be paid by EPA.
2. ADEQ will resubmit the list of QBS settlements approved by ADEQ to date.

I. Welcome/Opening Remarks/Administrative Issues –

A. Personnel Issues

1. **Maria Fant** – Chairman Lavis informed the Board that Ms. Fant was leaving ADEQ after 11 ½ years of service with ADEQ, all of them with the Superfund Programs Section. Chairman Lavis thanked Ms. Fant for her efforts.
2. **Chuck Shipley** – Chairman Lavis informed the Board that Mr. Shipley is in the hospital and will be missed while he undergoes treatment.

B. Representative John Allen, Windfall Issue – Chairman Lavis stated that he met with Representative Allen two weeks ago to discuss the issue of land owners benefiting from orphan site cleanups. Chairman Lavis reminded the Board that Representative Allen requested additional information on this issue last year when Senator Mitchell asked a question during funding testimony. Chairman Lavis indicated that he will draft a response and bring it to the Board.

C. Meeting Schedule – Chairman Lavis indicated that there will be no meeting in November. It will be decided later if a meeting will be scheduled in December, but a meeting will take place in January.

- D. Tape Recording Meeting** – Chairman Lavis informed the Board that ADEQ has requested to stop tape recording the meeting, starting this meeting. Mr. McNeely explained that ADEQ does not use the recordings. Mr. McNeely also explained that only one party has ever requested a copy of the tapes and ADEQ could not comply due to a formatting issue. There were no objections.
- II. Approval of September 26, 2003 Draft Meeting Minutes** – Ms. Marcus made a motion to adopt the draft September 26, 2003 minutes; Ms. Huddleston seconded the motion. The minutes were approved.
- III. Department Reports**
- A. ADEQ** – Mr. McNeely presented the ADEQ Department Report.
- 1. End Use Rules** – Mr. McNeely discussed the status of the rules and stated that the ADEQ has never opened a docket on these rules. A new rule writer has been hired who will get together the appropriate parties to revise the equations and standards as appropriate.
 - 2. Drought Impact on WQARF Sites** – Mr. McNeely discussed his efforts as support to the Governor’s Drought Task Force and presented a draft figure which demonstrates the potential impacts from wells in the vicinity of WQARF sites.
 - 3. E & E Model Status** – Mr. McNeely provided an update and stated that the Funding Priorities Committee is evaluating whether money should be paid to make revisions to the model.
 - 4. Aid to Municipalities** – Mr. McNeely presented information regarding the number of approvals and denials for WQARF reimbursements to political subdivisions. Mr. McNeely also discussed whether EPA reimbursed the political subdivisions for the applications that were denied by ADEQ. Concern was expressed by several Board members that some backup should be provided for cities if funding is denied by EPA. Mr. McNeely stated that ADEQ can still use its Emergency Response Unit and its contractors in these instances as long as the actions present an immediate and substantial endangerment to the public. The Board also requested that ADEQ follow up with EPA to ensure that EPA is aware that ADEQ is denying claims that are eligible to be paid by EPA.
 - 5. ADWR ISA** – Mr. McNeely indicated that the ISA has been drafted and is being reviewed by ADWR.
- B. ADWR** – Mr. Corkhill presented the ADWR Department Report.
- IV. Park Euclid Presentation** – Mr. McNeely presented a brief overview of the site including EPA’s efforts to list the site on the National Priorities List (NPL) and the Board’s and others efforts to keep the site off the NPL. Mr. McNeely indicated that Mission Linen is conducting a lot of the investigation and cleanup and they will be

making a presentation in addition to ADEQ. Matt Doolen, the ADEQ Project Manager for Park Euclid, provided handouts and discussed the concentrations in groundwater and discussed the groundwater wells that ADEQ has installed. Joe Drazek, the representative for Mission Linen, provided handouts and discussed Mission Linen's cleanup efforts.

V. Committee Reports

A. Legislative Committee

- 1. QBS Ad Hoc Reform Committee** – Kelly Barr indicated that the Committee discussed adding more flexibility to list sites on the WQARF Registry. Ms. Barr also presented a proposal to develop QBS legislation that would address five items. A copy of the adopted motions are attached and included in the minutes. Ms. Barr made a motion to adopt the proposal and Janet Marcus seconded the motion. After discussion by the Board and Mr. Van Wolf on behalf of the Western Drycleaners Association, the Board decided to change the introduction of the proposal from “It is moved that the WQARF Advisory Board direct that legislation be developed that would” to “It is moved that the WQARF Advisory Board direct that legislation be developed that may” to make it clear that the legislation can be drafted to address one or more of the items or other items as appropriate. The Board voted on the amended proposal; all were in favor with the exception of Mr. Vieregg. Mr. Vieregg voted as follows: Yes on item #1 subject to conditions; No on item #2; Abstain on item #3; and Yes on items 4 and 5.

B. Budget & Finance Committee

- 1. Review of Financial Status** – Mr. McNeely indicated that the first quarter expenditures are low due to the need for new contracts under the new State contract, but everything is going as planned.

VI. Other Business –

- Chairman Lavis discussed the Report on Recommended WQARF Program Reforms that the Board is required to submit to the Legislature. Chairman Lavis indicated that the report is due by November 14, 2003. Mr. Kimball provided a draft of the report and explained that it deals with three issues: 1) Reforms to increase the cost-effectiveness of the program; 2) Reforms to the site scoring method; and 3) Reforms to the criteria and procedures for listing sites on the Registry.
- Ms. Masbruch asked Mr. McNeely if ADEQ will be filling Ms. Fant's position. Mr. McNeely indicated that there is only two staff in the Public Involvement and Outreach Unit and they will be reporting to Don Richey, the Manager of the Remedial Projects Unit. Mr. McNeely also stated that he may hire one more Community Involvement Coordinator.

VII. Public Comment – No public comments were received.

VIII. Adjournment – Ms. O'Regan made a motion to adjourn and Ms Gaylord seconded the motion. The meeting adjourned at 11:05 a.m.